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 3 Seattle, WA 98101-3028  
 4 (206) 223-1313

U.S. DISTRICT COURT  
 JUN 6 - 2002  
 REC'D  
 CLERK  
 FILED 4:40  
 CAMERON S. BURKE  
 IDAHO

5 UNITED STATES BANKRUPTCY COURT  
 6 FOR THE DISTRICT OF IDAHO  
 7 AT BOISE

8 In Re:

BANKRUPTCY NO. 01-288

9 RICHARD STEVEN GORDON and  
 10 BARBARA LYNN GORDON,

CHAPTER NO. 13

11 Debtors.

STIPULATED ORDER FOR ADEQUATE  
 PROTECTION

12  
 13 Petitioner's Notice and Motion for Relief from Automatic Stay having been duly served; The Court  
 14 finds that the parties hereto agree to entry of the following Order:

15 STIPULATED FINDINGS

16  
 17 1. THE BANK OF NEW YORK AS TRUSTEE ITS SUCCESSORS AND/OR ASSIGNS,  
 18 is a secured creditor with a lien against the parcel of real property described as follows:

19 PARCEL I: LOT 7, BLOCK 2, CANYON ESTATES SUBDIVISION,  
 20 OWYHEE COUNTY, IDAHO, ACCORDING TO THE OFFICIAL  
 21 PLAT FILED AS INSTRUMENT NO. 225491, RECORDS OF  
 22 OWYHEE COUNTY, IDAHO. PARCEL II: AN EASEMENT FOR  
 23 INGRESS AND EGRESS AND UTILITIES OVER LOT 19, BLOCK 2,  
 24 CANYON ESTATES SUBDIVISION, OWYHEE COUNTY, IDAHO,  
 25 ACCORDING TO THE OFFICIAL PLAT FILED AS INSTRUMENT  
 NO. 225491, RECORDS OF OWYHEE COUNTY, IDAHO, RECORDS  
 OF OWYHEE COUNTY, IDAHO

26 commonly known as 3806 Wagon Wheel Drive, Homedale, Idaho 83628.  
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STIPULATED ORDER FOR ADEQUATE PROTECTION - 1

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 Law Office  
 KARR-TUTTLE-CAMPBELL

A Professional Service Corporation

1201 Third Avenue, Suite 2900, Seattle, Washington 98101-4059  
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2. THE BANK OF NEW YORK AS TRUSTEE ITS SUCCESSORS AND/OR ASSIGNS, brought a Motion for Relief from Stay. Petitioner agrees that if the Debtors meet the payments as described below this constitutes adequate protection.

3. The Debtors agree that the total amount of post-petition delinquency is \$6,283.88 (4 x \$1,335.45; 4 x \$66.77 late charges; \$675.00 attorney fees/costs) through April 30, 2002.

ON THE BASIS OF THE FOREGOING STIPULATED FINDINGS, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The Debtor shall maintain payments directly to The Bank of New York as Trustee, c/o Indymac Bank, 155 North Lake Ave., Pasadena, CA 91101, its successors and/or assigns as follow:

a. beginning May 1, 2002, \$1,335.45 per month for current monthly payments, plus late charges, if applicable, which amount may be adjusted according to the terms of the loan documentation; and

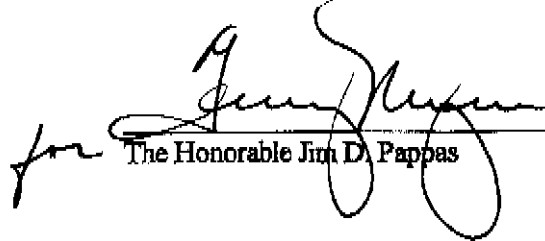
b. beginning June 1, 2002, \$1,570.97 per month for arrearages until paid.

2. If any payment referred to in paragraph 1 above is not received within fifteen (15) days of the date due, the Petitioner shall then give written notice (hereinafter "Default Notice"), delivered by regular mail, to the Chapter 13 Trustee, Debtors and to Debtors' Attorney of the default. If the defaulted payment, is not received in the office of Petitioner's Counsel, to the attention of Susan J. Robinson, within ten (10) days after the Default Notice was mailed, the automatic stay of 11 U.S.C. § 362 and the automatic injunction of 11 U.S.C. § 524 shall be vacated with respect to the Petitioner's interest in the property upon ex parte presentation of verifying affidavit and a proposed order for relief from stay, allowing Petitioner to pursue any of its remedies under the law, including but not limited to, holding a Trustee's Sale of the Property. Only one Default Notice is required to be sent. Upon the Debtors' second default, or if a senior lien obtains relief from stay, the automatic stay will lift without notice upon ex parte presentation of verifying affidavit and a proposed order for relief.


1 Any notice that Petitioner's counsel shall be required to give to the debtors and debtor's attorney  
2 shall not be construed as a communication under the Fair Debt Collection Practices Act, 15 USC, § 1692.

3 3. Any Order for Relief from Stay entered as a result of Debtors failure to make payments  
4 as provided in this Stipulated Order shall be effective immediately notwithstanding provisions of Federal  
5 Rules of Bankruptcy Procedure, Rule 4001(a)(3) providing otherwise.


6 6/6/02

7  
8   
9 The Honorable Jim D. Pappas

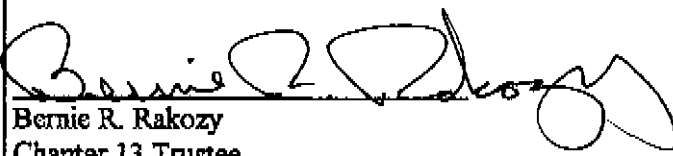
10 Presented by:

11  
12   
13 Susan J. Robinson, ISB #04460  
14 Of Karr Tuttle Campbell  
15 Attorneys for The Bank Of New York As Trustee  
16 its Successors and/or Assigns

17 Agreed; Notice of Presentation Waived:

18  
19   
20 Cyrus J. Roedel  
21 Attorney for Debtors

22 Copy Received:

23  
24   
25 Bernie R. Rakoz  
26 Chapter 13 Trustee

## CERTIFICATE OF MAILING

I hereby certify that on this 6th day of June, 2002, a true and correct copy of the foregoing was mailed, postage prepaid, first class to the following:

Cyrus J. Roedel  
355 W. Myrtle St #102  
Boise, ID 83702-7656

Bernie R. Rakozy  
POB 1738  
Boise, ID 83701

Susan J. Robinson  
1201 Third Avenue, Suite 2900  
Seattle, WA 98101

Berta Marks  
Deputy Clerk